

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the following remarks.

The Examiner has rejected claims 28-33 as being obvious in view of the combination between *Nellessen et al*, *LaPere* and *Nelson*.

It is respectfully submitted that these claims were previously allowed under the same references detailed in the Examiner's office action dated April 12, 2006 on pages 2 and 3.

It is noted that the following references *Nellessen et al*, *LaPere*, and *Nelson* are not new. Instead these references have been cited previously, such as on page 3 of the Office action dated 4/16/2006.

The applicant agrees with the Examiner's statements on page 2 of the April 12, 2006 response:

"With respect to claims 28 and 29, the prior art does not teach or render obvious the total combination as claimed including the process further comprising the step of forming the reflection transfer via a screen printing process."

In addition regarding claim 30, the examiner also stated:

"With respect to claim 30, the prior art does not teach or render obvious the total combination as claimed..."

Claims 28 and 29 were amended in the previous response to add the limitations of the base claim. Claim 30 was not amended in the previous response.

It is respectfully submitted that the above cited claims are allowable over the cited prior art and the Examiner's previous indication of allowability in view of the existing prior art was correct.

In addition, the applicant further submits that there are significant differences between the present invention as claimed in claims 28-33 and the above cited references.

For example, the following are differences between the present invention and the above prior art:

1) *Nellessen et al.* does not contain a transfer material, while *Nellessen et al.* does disclose an ink layer.

2) *Nellessen et al.* also does not disclose an adhesive repellent base medium as a substrate onto which ink is applied.

3) *Nellessen et al.* does not disclose an adhesive layer, or a transfer adhesive.

4) *Nellessen et al.* does not disclose an intermediate ink layer or apply the material to a transfer adhesive or to a side opposite the base medium.

5) *Nellessen et al.* does not disclose applying a reflection ink layer comprising a plurality of reflection particles onto an "intermediate" layer.

The Examiner has combined the *Nellessen et al* reference with *LaPere*.

The Examiner has not disclosed which *LaPere* reference is applied to the *Nellessen* Reference. There are two references to *LaPere* U.S. Patent no. 5,620,775 and U.S. Patent No. 6,060,157.

The first *LaPerre* reference is that of U.S. Patent No. 6,060,157. *La Pere* '157 does not disclose:

- 1) an intermediate ink layer;
- 2) a reflection ink layer comprising a plurality of reflection particles;

It is respectfully submitted that this reference does not disclose an intermediate ink layer because with this reference, all layers and a reinforcing layer (ref. No. 5 in FIG. 1D, and ref. No. 32 in FIG. 5) are transparent. In addition, this reference does not disclose a reflection ink layer comprising a plurality of reflection ink particles because these layer and reflection particles are applied separately.

Taking this disclosure, a combination of this *LaPerre* document and the *Nellessen* document would only teach a person skilled in the art to replace the separated binder and reflection particle layers by one single reflection ink layer comprising a plurality of reflection particles. This combination will not lead to a transfer according to the invention as claimed in claims 28-33. This is because the remaining feature of an intermediate ink layer which is not clear translucent is not disclosed by taking these two documents into consideration.

The *LaPerre et al* '775 reference discloses a completely different process. This document does not start with a release layer onto which an adhesive or binder will be applied. In this case, a release layer 56 is produced which afterwards is provided with reflecting particles. This is followed by coating the remaining surface of the reflecting particles with an adhesive. This structure is then coated with the substrate adhesive, (such as shown in example 2) or it is laminated to a pressure sensitive adhesive layer coated on a release liner (example 5) to constitute a transfer carrier. To transfer it to a substrate, the release liner is removed afterwards and the substrate adhesive layer is brought into contact with a substrate.

Thus, in this case, the *LaPerre et al.* '775 document does not disclose an adhesive repellent base medium. In this case, the transfer is provided with a reinforcing layer (reference no. 6) wherein this layer is laminated onto the reflecting particles containing layer. Therefore, only afterwards, this reinforcing layer is laminated to the substrate adhesive.

The *LaPerre et al* '775 patent does not disclose the feature of applying an intermediate ink layer to a side of said transfer adhesive opposite that base medium. *LaPerre et al* applies this type layer to the reflection particle containing layer, wherein

this complete structure is then laminated to an adhesive layer which has been coated on the base medium.

We believe that a person skilled in the art would only find that the combination of *LaPerre et al* and *Nellesen et al* would result in the step of taking a layer and providing it with reflecting particles which can be substituted by a reflection ink already comprising the reflecting particles as disclosed by *Nellessen et al*.

It is respectfully submitted that *LaPerre et al* does not teach to apply an intermediate ink layer to a side of a transfer adhesive opposite a base medium. *LaPerre et al* teaches to apply the transfer adhesive to an intermediate layer. Accordingly, *LaPerre et al*. does not teach applying a reflection ink layer onto the intermediate ink layer, but to apply the intermediate ink layer (which is the reinforcing layer) onto the reflection ink layer.

Using the technique disclosed by *LaPerre*, it is difficult to receive an exactly printed and positioned picture, logo, or similar object because the thermoplastic release layer 56 in FIG. 6 and 105 in FIG. 10 has to be applied first, and then the beads

are sprayed onto this layer. With this step, it is not possible to print a colored picture as the thermoplastic release layers are removed afterwards. In particular, with a complicated design, it is difficult to spray this complicated design onto the tacky thermoplastic release layer.

Therefore, to print a picture, (See FIGS. 4 and 8-13) an ink layer (See FIG. 4; ref. 14; FIG. 8 ref. 93, FIG. 9, 103; FIG. 10, 113, FIG. 11, 113 FIG. 12 (122-126) and FIG. 13 ref. 133). has to be applied onto the beads. This layer is then positioned on the backside of the beads wherein this side will be applied to the substrate. In this case, the person viewing such an image will look from the uncovered side the beads, therefore, the printing must be achieved in an inverted manner to the backside of the beads so that the opposing line side of the viewer can be viewed correctly.

This necessary side inverted printing as disclosed in LaPere is because the beads have been first attached to the tacky thermoplastic release layer, wherein this release layer is then only afterward removed to uncover the surface which is then presented to the viewer.

With the present invention as claimed in claims 28-33, the reflecting particles containing ink are applied to the adhesive layers, wherein these layers are afterwards applied onto a substrate but which will not be removed from the ink layer. To achieve a reflecting surface, the ink particles or the ink particle containing layer is dried so that the particles will then raise from this layer to make reflections possible. Once the reflecting picture is applied, this side of the layer then becomes the side which is viewed by the observer. Due to this method, it is then possible to apply the reflecting particles containing ink onto the adhesive layer by printing pictures or designs with the correct side.

Therefore, it is respectfully submitted that the present invention as claimed in claims 28-33 provides significant advantages over the above cited references. It is submitted that it is much more convenient to print pictures or designs with the correct side facing rather than side inverted.

In addition, with the present invention, there is only a simple release layer that is required that covers the beads for protection, there is not required any additional thermoplastic release layer of the above cited reference.

This positive result is only possible with the present invention because the present invention as claimed in claims 28-33 uses reflection particles containing ink which is applied onto the adhesive layer and then dried to make the beads raised out of the ink layer. This step enables the correct side printing.

In addition, the base medium with which the LaPerre production process starts for forming layers 55/56 or 104/105 is not an adhesive repellent medium, but rather a thermoplastic release layer that has a tacky or semi-adhesive quality.

Thus, the combination of *LaPerre* and *Nellessen* would only result in a transfer carrier liner by initially combining a reflection ink layer comprising a plurality of reflection particles of *Nellessen* onto a release liner according to example 1 of *LaPerre*, and then later apply an intermediate layer onto this ink layer and then later apply it onto a transfer adhesive layer onto the intermediate layer.

Therefore, it is respectfully submitted that this combination would not lead to a transfer according to claims 28-33 of the present invention.

The Application of the third reference that to Nelson does also not teach to apply an adhesive repellent base medium. Nelson also does not teach the following:

1) providing a process for manufacturing a reflection transfer, or

2) the use of screen printing.

Instead, Nelson teaches the use of ink jet technology.

For example, with Nelson, it discloses providing a substrate 12 which is a polymeric substrate with a pigmented adhesive layer 14. This adhesive layer 14 is covered by a release liner 20. The opposite side of the substrate 12 is top coated with a layer 25. Then the whole panel is perforated before an unperforated barrier 22 is applied onto the release layer 20. Afterwards, this image is applied onto the top coating layer by ink jet technology.

Accordingly, it is respectfully submitted that Nelson does not teach a process for a reflection transfer, and it does not teach one for a screen print technology. In addition Nelson does not teach using an adhesive-repellent base medium. Instead,

Nelson starts the process with a polymeric substrate. This polymeric substrate is not adhesive repellent because the substrate must be firmly connected to the adhesive as the adhesive layer will be used to touch the substrate onto a surface such as a glass store front.

Nelson also does not indicate any step for drying as indicated in claims 28, 29 and 30.

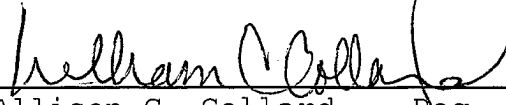
Therefore, it is respectfully submitted that claims 28-33 are not obvious in view of the combination of Nellesen, LaPerre, or Nelson. Therefore it is submitted that these claims are patentable over the above cited references.

Claims 31-33 depend from independent claims 28-30. Therefore, it is respectfully submitted that these claims are patentable over the above cited references taken either singly or in combination.

In summary, none of the claims have been amended since the previous office action. Claims 28-33 remain in the application.

Applicant respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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Enclosure(s): 3 Month Extension